

Heartland Broadcasting Corp (Heartland), licensee of WZZS and WZSP offer these comments. The proposed requirement to record each and every minute of every broadcast day is extremely burdensome on small market broadcasters such as us. We are not a large group, we do not have large resources (in either staff or money) nor do we broadcast material of a questionable nature (i.e. Zoo morning show, "shock jocks" etc.). As stated earlier, we are a small market broadcaster with 1 mw/m contours encompassing less than 25,000 persons based upon our annual Regulatory fees.

While we recognize that some broadcasters "push the envelope" to see what they can "get away with" or think that they are under some form of free speech protection, we believe that such broadcasters should be recording their programming for their own protection. However, to force this upon an entire industry because of the possible sins of a very few does not somehow seem fair or justified. Heartland would suggest that if the Commission is serious about this for the obvious reasons that it wishes to capture certain types of "questionable" programming, that those licensees (and they know who they are) should be requested by the Commission to maintain such recordings if, in the licensee's reasonable discretion, they are airing programming which could reasonably be expected to trip such potential violations. This could include programming such as with shock jocks and perhaps even "hot talk" formats. But our small market county and Spanish stations would be unreasonably burdened by such requirements. In the small conservative towns in our coverage area, if we came even close to the edge, we would be subject to local market regulation long before FCC action would ever be necessary. By market action - our stations simply would not be listened to as this type of thing is hardly tolerated in small market America. We would expect the types of issues the Commission anticipates capturing on these recordings would be that broadcast on large market stations who are working towards garnering rating points with any possible edge they can muster. We don't even have ratings in our market.

In summary, our stations would be unreasonably burdened by having to install and maintain expensive equipment (several thousand dollars in our market is a lot of money), and we have a very small staff, so it would be extremely difficult for us to manage the archiving of this recorded material. Further, the chances of obscene or indecent programming airing on our stations which do not air any talk shows or have any shock jocks is extremely remote, and in the eight years of our operation of these stations, we are unaware of any utterance on our air of any even marginal material.

Thank you for your consideration.

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